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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/732,420	12/07/2000	Carl M. Skonberg	018360/201197	1515

826 7590 06/21/2004

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EXAMINER
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AZAD, ABUL K

ART UNIT	PAPER NUMBER
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2654

DATE MAILED: 06/21/2004

4

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/732,420

**Applicant(s)**

SKONBERG ET AL.

**Examiner**

ABUL K. AZAD

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-21 is/are allowed.
- 6) ☒ Claim(s) 22-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2, 3.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. Claims 1-41 are pending in this Office Action.

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 22-41 are rejected under 35 U.S.C. 102(e) as being anticipated by Reed (US 6,394,278).

As per claim 1, Reed teaches, "a system for processing sortation information spoken by a user and for generating a return signal comprising a data signal encoded with a voice signal in response to the spoken sortation information", comprising:

"a speech device with a speech encoder and a speech decoder, wherein the speech encoder is configured for receiving spoken sortation information from a user and encoding the spoken sortation information into a data signal, and wherein the speech decoder is configured for receiving a return signal based upon the spoken sortation information and decoding the return signal into a voice signal" (col. 3, lines 10-55);

"a computer configured for processing the data signal containing spoken

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sortation information from the speech encoder, and further configured for generating a return signal based upon the spoken sortation information, wherein the return signal comprises a data signal and an encoded voice signal" (col. 8, lines 14-37); and

"a network for communicating signals between the speech device and the computer, wherein the speech encoder sends the spoken sortation information through the network to the computer, wherein the speech decoder receives the return signal comprising the data signal encoded with the voice signal from the computer through the network" (col. 6, lines 11-29).

As per claim 23, Reed teaches, "wherein the spoken sortation information comprises a delivery address or instruction" (col. 6, lines 61-67).

As per claim 24, Reed teaches, "wherein the speech device comprises a wireless telephony set with a transmitter configured to send spoken sortation information to the speech encoder and a receiver configured to receive a return signal from the speech decoder" (col. 5, lines 16-48).

As per claim 25, Reed teaches, "wherein the wireless telephony set further comprises a microphone configured to receive spoken input from a user and a speaker operative to broadcast the return signal received by the receiver" (col. 5, lines 16-48).

As per claim 26, Reed teaches, "wherein the network comprises a local area network of computers" (col. 6, lines 25-29).

As per claim 27, Reed teaches, "wherein the computer is further configured to execute a set of instructions containing a speech recognition program to interpret the spoken sortation information" (col. 5, lines 49-67).

As per claim 28, Reed teaches, "wherein the computer comprises a remote computer" (Fig. 1).

As per claim 29, Reed teaches, "wherein the return signal comprises a prompt for the user to respond to the accuracy of the spoken sortation information" (col. 6, line 43 to col. 7, line 33).

As per claim 30, Reed teaches, "wherein the return signal comprises a sortation instruction" (col. 7, lines 3-33).

As per claim 31, Reed teaches, "wherein the return signal comprises an audio instruction in response to the user's spoken sortation information" (col. 8, lines 14-36).

As per claim 32, Reed teaches, "wherein the computer is further configured to send the return signal to a local computer" (col. 8, lines 14-36).

As per claim 33, Reed teaches, "wherein the return signal is processed by the local computer, and the local computer instructs an associated printer to format or to print a label" (col. 6, lines 1-10).

As per claim 34, Reed teaches, "wherein the return signal is processed by the local computer, and the local computer displays the information on an associated visual display device" (col. 6, lines 11-43).

As per claim 35, Reed teaches, "wherein the computer sends the return signal to an associated printer to format and print a label" (col. 6, lines 1-9).

As per claim 36, Reed teaches, "wherein the computer sends the data signal to an associated visual display device" (col. 6, lines 31-41).

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As per claim 37-41 they are interpreted and thus rejected for the same reasons set forth in the rejection of claims 22-36.

***Allowable Subject Matter***

4. Claims 1-21 are allowed over the prior art of record.

***Contact Information***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Abul K. Azad** whose telephone number is **(703) 305-3838**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richemond Dorvil**, can be reached at **(703) 305-9645**.

Any response to this action should be mailed to:

**Commissioner for Patents**

**P.O. Box 1450**

**Alexandria, VA 22313-1450**

Or faxed to:

**(703) 872-9314**

(For informal or draft communications, please label "PROPOSED" or "DRAFT")

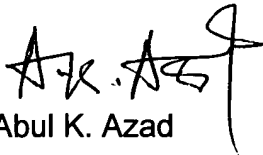
Hand-delivered responses should be brought to 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

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Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center's Customer Service Office at telephone number (703) 306-0377.

  
Abul K. Azad

June 14, 2004